

Under the

Based on E.O. 13526, 76 FR 59338
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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<i>Application Number</i>	09/865,704
<i>Filing Date</i>	May 29, 2001
<i>First Named Inventor</i>	ITO et al.
<i>Group Art Unit</i>	2826
<i>Examiner Name</i>	MONDT, JOHANNES P
<i>Attorney Docket Number</i>	01-149-RCE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO SB 29), instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Prosecution Application Practice*, Final Rule 65 Fed. Reg. 50032 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14865 (Mar. 20, 2000); 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on February 24, 2003
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Preliminary Amendment/Reply and Appendix showing claim changes
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other **Letter to Box RCE**

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.171 is required.)
- b. ☒ Other **Petition for Extension of Time under 37 CFR 1.136(a)**

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1147
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 1050 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type) DAVID G. POSZ Registration No. Attorney Agent 37.701
Signature  Date March 21, 2003

CERTIFICATE OF HAND DELIVERY

Thereby certify that this correspondence is being hand delivered to and deposited with the USPTO at the Customer Service Window, Office of Trial Patent Examination, Crystal Plaza Building 2, Room 4B-3, 211 South Clark Place, Arlington, VA 22202, on the below warranted date, and is addressed to: Assistant Commissioner for Patents, Box RCE, Washington, DC 20531.

Name: Professor DAVID G. POSZ
Signature:  Date: March 21, 2003

1. The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, regarding the land owned by the United States in the State of California: